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June 23, 2008

VIA E-FILING

The Honorable Leonard P. Stark
United States Magistrate Judge
U.S. Courthouse
844 King Street
Lockbox 26
Wilmington, DE 19801

RE: *Anello, et al. v. Indian River School District, et al.*
C.A. No. 07-668-LPS

Dear Judge Stark:

I represent Appellees Indian River School District and Dr. Susan S. Bunting in the above referenced matter. As Your Honor is aware, this is an appeal from an administrative decision made by a hearing panel appointed by the State of Delaware Department of Education. Discovery has concluded and the Court has identified July 7th as the deadline for motions for summary judgment.

Pursuant to 20 U.S.C. §1415(i)(2)(C), the Department of Education is the custodian of the administrative record. On June 3, Your Honor ordered the Department of Education to file the administrative record with the Clerk of the Court. I intend to file a case-dispositive summary judgment motion. However, I need the record for purposes of citation. In this regard, I am informed by the Deputy assigned to the Department of Education that, due to the voluminous record below (if memory serves, there were 8 days of hearings and multiple binders of exhibits) and the resources needed to photocopy the record, it may be some time yet before the record is filed with the Court.

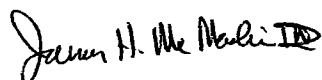
Due to the fact the administrative record is not presently available and may not be available until after the deadline for the filing of summary judgment motions and briefs, I respectfully ask that Your Honor suspend the deadline for summary judgment motions. Once the

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administrative record is filed as Ordered, I suggest a new briefing schedule either be agreed to by stipulation or scheduled by teleconference with the Court.

Respectfully submitted,



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(Bar I.D. #4284)

JHM/jam

cc: Mr. and Mrs. Williams Anello (via U.S. Mail)
Dr. Susan Bunting (via U.S. Mail)
Ms. Darlene St. Peter (via U.S. Mail)
Clerk of the Court (via e-filing)